

### **REMARKS**

Further to the Amendment under 37 C.F.R. 1.114 filed June 10, 2009, Applicants are filing this Supplemental Amendment. Applicants respectfully request that the Examiner consider the remarks given in both the Amendment filed on June 10, 2009 and this Supplemental Amendment. Applicants have attempted to eliminate as much repetition as possible.

#### **Status of the Claims**

Claims 1, 4-22, and 24-29 are pending in the above-identified application. Claims 13-16 and claims 18-21 are currently withdrawn from consideration. As such, claims 1, 4-12, 17, 22, and 24-29 stand ready for further action on the merits. Claim 1 has been amended by incorporating the subject matter of claim 5. Claim 5 has been amended accordingly. Thus, no new matter has been added. Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

#### **Issues under 35 U.S.C. § 112, second paragraph**

The Examiner has rejected claim 23 under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 23 was cancelled in the Amendment dated June 10, 2009, which renders this rejection moot. As such, Applicants respectfully request that the rejection be removed.

#### **Issues under 35 U.S.C. § 103(a)**

1) Claims 1-10, 12, 17, and 22-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0125818 to Sato et al. (hereinafter, "Sato '818").

2) Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato '818 in view of U.S. Patent No. 6,962,755 to Ise et al. (hereinafter, "Ise '755").

Applicants respectfully traverse, and reconsideration and withdrawal of these rejections are respectfully requested.

*Distinctions over the Cited References*

Further to the remarks provided in the Response filed on June 10, 2009, Applicants submit the following additional remarks.

Enclosed herewith is a 37 CFR § 1.132 Declaration of Toshihiro Ise, one of the present inventors. The Examiner is respectfully requested to review the enclosed Declaration of Dr. Ise as it provides strong evidence of the patentability of the present invention.

In the enclosed Declaration, additional test data are set forth for the examples previously provided in the Declaration submitted on June 10, 2009. Specifically, the table now shows the values for  $I_p$ ,  $E_a$ , and  $T_1$  for each example. As shown in the table, it is extremely difficult to meet both of the conditions for  $I_p$  and  $E_a$  and the condition for  $T_1$ . In fact, only the inventive examples and not the comparative examples meet all of the conditions. As shown in the enclosed Declaration, many of the combinations in Sato '818 do not even emit light.

In stark contrast, the present invention claims a specific combination of the materials providing extremely high performance. Undue efforts would be required to find the specific combination of the present invention from the disclosure of Sato '818, and the contents of the present invention are not obvious.

Based on the remarks above, Applicants therefore respectfully submit that the claims of the present application clearly distinguish over Sato '818. Applicants further submit that Ise '755 does not overcome the deficiencies of Sato '818.

**CONCLUSION**


A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case clearly indicating that each of claims 1, 4-12, 17, 22, and 24-29 are allowed and patentable under the provisions of title 35 of the United States Code.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad M. Rink, Reg. No. 58,258, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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Attachment: 37 CFR § 1.132 Declaration of Toshihiro Ise